



**ZONING COMMITTEE**  
**REGULAR COMMITTEE MEETING**  
**~Minutes~**

Atlanta City Hall  
55 Trinity Avenue  
Atlanta, GA 30303  
<http://www.atlantaga.gov/>

**CITY OF ATLANTA**

**Chairperson**  
The Honorable Carla Smith

Theodis Pace  
(404) 330-6314  
[tpace@atlantaga.gov](mailto:tpace@atlantaga.gov)

**Wednesday, March 1, 2017**

**9:30 AM**

**Committee Room 1**

**A. CALL TO ORDER**

The regularly scheduled meeting of the **Zoning Committee** was held on **Wednesday, March 1, 2017**, at **9:36 AM** in **Committee Room 1**.

**B. INTRODUCTION OF MEMBERS**

Attendee Name	Position/District/Post	Status	Arrived
Carla Smith	Chair, District 1	Present	9:28 AM
Kwanza Hall	District 2	Present	9:45 AM
Mary Norwood	Post 2 At-Large	Present	9:33 AM
Alex Wan	District 6	Present	9:31 AM
Howard Shook	District 7	Present	9:32 AM
Keisha Lance Bottoms	District 11	Present	9:34 AM
Joyce Sheperd	Vice-Chair, District 12	Present	9:36 AM
Wasonna Hammonds-Griffin	Legislative Assistant	Present	9:15 AM
Theodis Pace	Research and Policy Analyst	Present	9:10 AM

**Others in Attendance:**

DPCD: Keyetta Holmes, Asst. Dir. OZ&D, Tshaka Warren and Mary Darby; Law: Jeff Haymore and AnnaMarie Hazzard; And APD Officer; Council Staff, Councilmember Staff, the media and members of the public.

**C. ADOPTION OF AGENDA**

**ADOPTED**

**D. APPROVAL OF MINUTES**

**APPROVED**

**E. 2017 ZONING COMMITTEE GOALS AND OBJECTIVES**

**2017 GOALS AND OBJECTIVES**

- Interaction with the Office of Zoning & Development and oversight of the Zoning Code Re-write
- Quarterly Updates from the Office of Zoning & Development on the Zoning Code Re-write
- Quarterly Update from the Office of Zoning & Development on Zoning and Land Use changes in coordination with the Community Development/Human Services Committee

- Evaluate how the rezoning of parcels impacts water, service level of transportation, school system, and the environment

**ADOPTED 3/1/17**

**F. PUBLIC HEARING ITEM(S)**

17-O-1064 (1) - MRPA-16-05 AN ORDINANCE BY ZONING COMMITTEE TO GRANT A CERTIFICATE UNDER THE PROVISIONS OF THE METROPOLITAN RIVER PROTECTION ACT FOR A POOL, POOL HOUSE, AND PATIO, LOCATED AT 2746 RIDGEWOOD ROAD, N.W., 1.097 ACRES IN LAND LOT 232 OF THE 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: GAINES TAYLOR HOWERTON; APPLICANT: JAMES SCOTT OATES; NPU-A COUNCIL DISTRICT 8

Ron Shakir 9:28:57 AM

**RESULT:** FAVORABLE [UNANIMOUS]      **Next:** 3/6/2017 1:00 PM  
**MOVER:** Mary Norwood, Post 2 At-Large  
**SECONDER:** Alex Wan, District 6  
**AYES:** Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

Open Public Hearing

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Alex Wan, District 6  
**SECONDER:** Howard Shook, District 7  
**AYES:** Smith, Norwood, Wan, Shook, Bottoms, Sheperd  
**ABSENT:** Hall

Close Public Hearing

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Alex Wan, District 6  
**SECONDER:** Mary Norwood, Post 2 At-Large  
**AYES:** Smith, Norwood, Wan, Shook, Bottoms, Sheperd  
**ABSENT:** Hall

**G. ORDINANCE(S) FOR SECOND READING**

17-O-1063 (2) - TR-17-01 AN ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE 80-O-2990/U-80-24 ADOPTED BY THE CITY COUNCIL ON JUNE 2, 1980 AND APPROVED BY THE MAYOR ON JUNE 6, 1980 FOR PROPERTY LOCATED AT 330 LYNHURST DRIVE, S.W. TO APPROVE A TRANSFER OF A SPECIAL USE PERMIT FOR A CHILD CARE CENTER; AND FOR OTHER PURPOSES. NPU I COUNCIL DISTRICT 10

Ron Shakir 9:50:47 AM

**RESULT: FAVORABLE [UNANIMOUS]    Next: 3/6/2017 1:00 PM**  
**MOVER:** Alex Wan, District 6  
**SECONDER:** Carla Smith, Chair, District 1  
**AYES:** Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 17-O-1065 (3) - AN ORDINANCE BY ZONING COMMITTEE CORRECTING ORDINANCE 16-O-1308 (Z-16-20), WHICH WAS ADOPTED BY THE CITY COUNCIL ON NOVEMBER 21, 2016 AND APPROVED AS PER THE CITY CHARTER 2-403 ON NOVEMBER 30, 2016 WITHOUT SIGNATURE BY OPERATION OF LAW, TO REZONE THE PROPERTY LOCATED AT 178 AND 208 FIRST AVENUE, 0, 2339, AND 2349 COTTAGE GROVE AVENUE AND 203 SECOND AVENUE, S.E., FOR THE PURPOSE OF CORRECTING THE ZONING DESIGNATION TO RG-2-C (RESIDENTIAL GENERAL SECTOR 2 - CONDITIONAL) DISTRICT AND RG-3-C (RESIDENTIAL GENERAL SECTOR 3 - CONDITIONAL) DISTRICT; AND FOR OTHER PURPOSES.

**RESULT: FAVORABLE [UNANIMOUS]    Next: 3/6/2017 1:00 PM**  
**MOVER:** Carla Smith, Chair, District 1  
**SECONDER:** Joyce Sheperd, Vice-Chair, District 12  
**AYES:** Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 17-O-1072 (4) - AN ORDINANCE BY COUNCILMEMBER NATALYN ARCHIBONG AUTHORIZING THE INSTALLATION OF PUBLIC ART (ENTITLED "IN SOLIDARITY") AT 577 EDGEWOOD AVENUE, S.E., UNITY #207, ATLANTA, GEORGIA 30312, AS PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

**RESULT: HELD IN COMMITTEE [UNANIMOUS]    Next:**  
**3/20/2017 1:00 PM**  
**MOVER:** Alex Wan, District 6  
**SECONDER:** Howard Shook, District 7  
**AYES:** Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 17-O-1079 (5) - AN ORDINANCE BY COUNCILMEMBER JOYCE SHEPERD AS AMENDED BY ZONING COMMITTEE AUTHORIZING THE INSTALLATION OF PUBLIC ART (ENTITLED "RHYTHMS OF CHANGE ") ON A RETAINING WALL LOCATED AT 650 CLEVELAND AVENUE, ATLANTA, GEORGIA 30315, AS PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

**RESULT: FAVORABLE [UNANIMOUS]    Next: 3/6/2017 1:00 PM**  
**MOVER:** Alex Wan, District 6  
**SECONDER:** Howard Shook, District 7  
**AYES:** Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

Amend

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Alex Wan, District 6  
**SECONDER:** Joyce Sheperd, Vice-Chair, District 12  
**AYES:** Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

#### **H. RESOLUTION(S)**

17-R-3216 (6) - A RESOLUTION BY COUNCILMEMBER JOYCE SHEPERD AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR MURAL LICENSE AND MAINTENANCE WITH THE ATLANTA BOARD OF EDUCATION, AS OWNER OF REAL PROPERTY LOCATED AT 650 CLEVELAND AVENUE, S.E., ATLANTA, GEORGIA 30315, FOR THE PURPOSE OF ALLOWING THE INSTALLATION OF AN ART MURAL ON THE ATLANTA BOARD OF EDUCATION'S PROPERTY; AND FOR OTHER PURPOSES.

**RESULT:** FORWARDED W/NO RECOMMENDATION  
[UNANIMOUS] Next: 3/6/2017 1:00 PM  
**MOVER:** Joyce Sheperd, Vice-Chair, District 12  
**SECONDER:** Alex Wan, District 6  
**AYES:** Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

#### **I. ORDINANCE(S) FOR FIRST READING**

17-O-1095 (7) - U-17-02 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR AN OFFICE SPACE, PURSUANT TO SECTION 16-20B.004(3)(A), FOR PROPERTY LOCATED AT 1226 PONCE DE LEON AVENUE, N.E., FRONTING APPROXIMATELY 184 FEET ON THE NORTH SIDE OF PONCE DE LEON AVENUE AND BEGINNING APPROXIMATELY 463.31 FEET FROM THE NORTHEAST INTERSECTION OF BRIARCLIFF ROAD AND PONCE DE LEON AVENUE. DEPTH: 215 FEET; AREA: .901 ACRES. LAND LOT 241, 15TH DISTRICT, DEKALB COUNTY, GEORGIA. OWNER: GREENER GABLES 1226, LLC APPLICANT: GREENER GABLES 1226, LLC C/O JILL ARNOLD NPU N COUNCIL DISTRICT 6

##### **TO BE REFERRED TO ZRB & ZONING COMMITTEE**

**RESULT:** REFERRED TO COMMITTEE [UNANIMOUS] Next:  
3/6/2017 1:00 PM  
**MOVER:** Carla Smith, Chair, District 1  
**SECONDER:** Alex Wan, District 6  
**AYES:** Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

17-O-1096 (8) - U-17-03 ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT TO SEVER EXCESS DEVELOPMENT DENSITY (512,774 SQUARE FEET OF RESIDENTIAL FLOOR AREA AND 260,000 SQUARE FEET OF NONRESIDENTIAL FLOOR AREA) FROM PROPERTY LOCATED AT 660 PEACHTREE STREET (DONOR PARCEL), FRONTING 193 FEET ON THE WEST SIDE OF PEACHTREE STREET BEGINNING AT THE NORTHWEST INTERSECTION OF PEACHTREE STREET AND PONCE DE

LEON AVENUE. DEPTH: 220 FEET; AREA: 1.727 ACRES; LAND LOT 49, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: FOX THEATRE, INC. APPLICANT: FOX THEATRE, INC. BY DENTONS US LLP NPU E COUNCIL DISTRICT 2

**TO BE REFERRED TO ZRB & ZONING COMMITTEE**

**RESULT:** REFERRED TO COMMITTEE [UNANIMOUS] **Next:**  
**3/6/2017 1:00 PM**  
**MOVER:** Carla Smith, Chair, District 1  
**SECONDER:** Alex Wan, District 6  
**AYES:** Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

17-O-1097 (9) - U-17-04 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PARK FOR HIRE LOT, PURSUANT TO SECTION 16-20C.005(C)(I), FOR PROPERTY LOCATED AT 15 HILLIARD STREET, N.E., FRONTING APPROXIMATELY 75 FEET ON THE EAST SIDE OF HILLIARD STREET AND BEGINNING APPROXIMATELY 65 FEET FROM THE NORTH INTERSECTION OF EDGEWOOD AVENUE DEPTH: 145 FEET; AREA: .25 ACRES. LAND LOT 46, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: WESTSIDE REVITALIZATION ACQUISITION, LLC APPLICANT: MATT S. RUPPERT NPU M COUNCIL DISTRICT 5

**TO BE REFERRED TO ZRB & ZONING COMMITTEE**

**RESULT:** REFERRED TO COMMITTEE [UNANIMOUS] **Next:**  
**3/6/2017 1:00 PM**  
**MOVER:** Carla Smith, Chair, District 1  
**SECONDER:** Alex Wan, District 6  
**AYES:** Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

17-O-1098 (10) - Z-17-04 AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM MR-2-C AND R4-A TO MR-2-C FOR PROPERTY LOCATED AT 1767 AND 1777 MARIETTA ROAD, N.W. AND 1718 ALMA STREET, N.W. FRONTING APPROXIMATELY 263 FEET ON THE NORTH SIDE OF MARIETTA ROAD LOCATED AT THE NORTHEASTERN INTERSECTION OF MARIETTA ROAD AND ALMA STREET. DEPTH: VARIES; AREA: 2.396 ACRES; LAND LOT 222 AND 223 17TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: BINGHAM PARK OWNER, LLC AND RPM TRUST C/O TON AMINI APPLICANT: EMILE PICARD NPU D COUNCIL DISTRICT 9

**TO BE REFERRED TO ZRB & ZONING COMMITTEE**

**RESULT:** REFERRED TO COMMITTEE [UNANIMOUS] **Next:**  
**3/6/2017 1:00 PM**  
**MOVER:** Carla Smith, Chair, District 1  
**SECONDER:** Alex Wan, District 6  
**AYES:** Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

**J. PAPER(S) HELD IN COMMITTEE**

14-O-1348 (11) - U-14-13 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME PURSUANT TO SECTION 16-06.005 (1)(G) FOR PROPERTY LOCATED AT 929 CASCADE AVENUE, S.W., FRONTING APPROXIMATELY 95 FEET ON THE NORTH SIDE OF CASCADE AVENUE APPROXIMATELY 60 FEET EAST OF THE INTERSECTION OF ALTADENA PLACE AND CASCADE AVENUE. DEPTH VARIES. AREA: APPROXIMATELY 0.45 ACRE. LAND LOT 151, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: FLORENCE M. DEMOSTHENES APPLICANT: MAURICE SESSOMS, NPU S, COUNCIL DISTRICT 10

Application File Date	5-22-14
Zoning Number	U-14-13
NPU / CD	S/10
Staff Recommendation	Denial
NPU Recommendation	Approval
ZRB Recommendation	Denial

**(Held 8/27/14)**

**RESULT: HELD IN COMMITTEE [UNANIMOUS]      Next:**  
**3/6/2017 1:00 PM**

**AYES:**      Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

14-O-1366 (12) - AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK AS SUBSTITUTED BY ZONING COMMITTEE TO AMEND SEC. 15-06.001 OF THE SUBDIVISION ORDINANCE OF THE CITY OF ATLANTA SO AS TO AMEND THE DEFINITION OF THE TERM "HISTORIC NEIGHBORHOOD" AS A NEIGHBORHOOD ACTUALLY LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES; TO AMEND SEC. 15-08.005(D)(6) OF THE SUBDIVISION ORDINANCE SO AS TO REGULATE THE SUBDIVISION OF PROPOSED LOTS IN HISTORIC NEIGHBORHOODS; TO ADD SEC. 15-08.005(D)(7) TO REGULATE THE SUBDIVISION OF PROPOSED LOTS WHERE NEW STREET(S) ARE PROPOSED IN NEIGHBORHOODS IDENTIFIED BY ORDINANCE AS POTENTIALLY ELIGIBLE FOR LISTING ON THE NATIONAL REGISTER OF HISTORIC PLACES; AND FOR OTHER PURPOSES.

**(Referred back by Council 9/15/14) (Substituted and held 9/24/14)**

**RESULT: HELD IN COMMITTEE [UNANIMOUS]      Next:**  
**3/6/2017 1:00 PM**  
**AYES:**      Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 16-O-1155 (13) - Z-16-13 AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT FOR PROPERTY LOCATED AT 2742 AND 2748 ALPINE ROAD, N.E., FRONTING APPROXIMATELY 99 FEET ON THE WEST SIDE OF ALPINE ROAD AND BEGINNING APPROXIMATELY 95.6 FEET FROM THE WEST INTERSECTION OF PIEDMONT ROAD. DEPTH: VARIES AREA: APPROXIMATELY .647 ACRES. LAND LOT 60, 17TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: RICHARD AND STEWART AIKEN APPLICANT: GORDON GOODMAN NPU B COUNCIL DISTRICT 7

Application File Date	3-1-2016
Zoning Number	Z-16-13
NPU / CD	B/7
Staff Recommendation	Approval Conditional
NPU Recommendation	Deferral
ZRB Recommendation	Approval Conditional

(Referred back by Council 9/19/16) (Held 9/28/16)

**RESULT: HELD IN COMMITTEE [UNANIMOUS]      Next:**  
**3/6/2017 1:00 PM**  
**AYES:**      Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 16-O-1226 (14) - AN ORDINANCE BY COUNCILMEMBER KEISHA LANCE BOTTOMS AS SUBSTITUTED BY ZONING COMMITTEE TO ZONE THE SANDTOWN NEIGHBORHOOD IDENTIFIED ON EXHIBIT "A" TO THE R-2 (SINGLE FAMILY RESIDENTIAL), R-3 (SINGLE FAMILY RESIDENTIAL-CITY OF ATLANTA), R-4 (SINGLE FAMILY RESIDENTIAL), R-5 (TWO FAMILY RESIDENTIAL), PDH (PLANNED DEVELOPMENT-HOUSING), C-1 (COMMUNITY BUSINESS) AND MRC-1 (MIXED RESIDENTIAL COMMERCIAL) ZONING DISTRICT; AND FOR OTHER PURPOSES.  
**(Held 7/13/16)**

**RESULT: HELD IN COMMITTEE [UNANIMOUS]      Next:**  
**3/6/2017 1:00 PM**  
**AYES:**      Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

**K. WALK-IN LEGISLATION**

NONE

**L. REMARKS FROM THE PUBLIC**


Ron Shakir 9:29:36 AM


**M. ADJOURNMENT**




There being no further business to come before the Zoning Committee the meeting was adjourned at 10:04 AM

Respectfully submitted:

  
Wasonna Griffin, Legislative Assistant

  
Theo Pace, Research & Policy Analyst

  
The Honorable Carla Smith, Chair